

BARROW

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS	
GERALD LAWRENCE WILLIAM HILDAHL		For plaintiff: Don E. Gasaway <i>Chase</i> Woodson and Gasaway 1843 East Fifteenth Tulsa, Oklahoma 74104 587-3335 <i>932-4661</i>	
v.			
STATE OF OKLAHOMA		For defendant: <i>Chase</i> <i>Tulsa County</i> , 405-231-4011 Attorney General 405-521-3205 State Capitol Building <i>392</i> Okla. City <i>Tulsa County</i> S. M. Fallis, Jr. 405-2471 District Attorney Tulsa County Courthouse Tulsa, Okla.	

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed <i>12-1-72</i>	Clerk	11/16	D. Gasaway	5.00	
		11-22-72	C.D. No. 23		5 00
		4/12/74	Gasaway	5.00	
J.S. 6 mailed <i>6-1-74</i>	Marshal	4-18-74	C/D #41		5 00
Basis of Action: habeas corpus	Docket fee				
	Witness fees				
Action arose at:	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
11-16-72	Application for writ of habeas corpus, filed. rm	
11-29-72	Order to show cause, filed. (AEB-J)rm - copies to petitioner, Don Gasaway, Dave Faulkner, S. M. Fallis, Jr., and Atty Gen.)	
11-29-72	Order, filed, that writ of habeas corpus issue, and setting evidentiary hearing at 10 a.m., Tuesday, 12/12/72. (AEB-J)rm Writ issued. (2 c.c. to Marshall)	
11-29-72	It is ordered that the above hearing is referred to U.S. Magistrate Bradford for Hearing on 12/12/72 and recommendations. (AEB-J)h	
11-30-72	Application For Fixing of Bail, filed js	
11-30-72	It is ordered that this having been transferred to the United States Magistrate for Study, any necessary hearing, and recommendation to this Court, the Application for fixing bail filed this date is referred, also, to said Magistrate for any necessary hearing and recommendation to this Court. (AEB-J) js	
11-30-72	Initial Report of United States Magistrate, filed. js	
12-4-72	It is ordered that this case is set for bail hearing on Tues. 12-5-72 at 10:00 am. (AEB-J)h	
12-5-72	Hearing held on bail. Statements made. All pleadings admitted as evidence at request of petitioner. Exhibit # 1 of Petitioner offered and admitted. It is ordered that the application of petitioner for bail is granted, and bond set in amt of \$3500(10%) bond. Condition that the petitioner be supervised by the Probation Office. (AEB-J)h	
12-5-72	Appearance Bond, filed. js	
12-5-72	Order Specifying Methods and Conditions of Release, filed. js	
12-11-72	Subpoena, ret. & filed: served Thomas G. Hanlon, Tulsa, Ok. 12-8-72. (USM \$2.00).g. 11/12	
12-12-72	Minute Order: This case is stricken from the docket at 10 a.m. Tues., Dec. 12, 1972 and has been re-set for an evidentiary hearing before Magistrate Morris L. Bradford at 10 a.m., Tues., Dec. 19, 1972. rm	
12-19-72	Evidentiary hearing held. Testimony heard and matter passed by agreement to allow taking of deposition of Thomas G. Hanlon, to be reset on request. (MLB-Mag)hm	
1-29-73	Return on writ of habeas corpus ad testificandum & 2 orders, filed. Served Dave Faulkner, Sheriff Tulsa Co. & Gerald Lawrence W. Hildahl on 11-29-72 in Tulsa. (Fees: \$18.00)hm	
1-29-73	Return on writ of habeas corpus ad testificandum & 2 orders, filed. Served Dave Faulkner, Sheriff Tulsa Co. & Carl Stockton on 11-29-72 in Tulsa (Fees: \$18.00)hm	
1-30-73	Defendant's response brief, filed. ds	
1-30-73	Deposition of Tom Hanlon taken on 1-24-73 before Evelyn E. Rutherford, LSR., filed. \$9.00 pd by Defendant. ds	
3-16-73	Second report of U.S. Magistrate, filed. (MLB-Mag)hm	

(continued)

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-23-73	Respondent's application for oral argument, filed. hm	
9-10-73	Order, filed, that an evidentiary hearing is set at 10:00 a.m. Tuesday 9-18-73. (AEB-J)hm (copies mailed) <i>Counsel & Petitioner</i>	
9-14-73	Motion to abate & motion for continuance, filed by Pltff. v <i>order to Judge</i>	
9-17-73	Order filed that motions of plaintiff to abate and continue granted for reason that the issued of constitutionality of the statute dispositive of issues is presented to 3 judge panel in another case on 10-3-73; and hearing set 9-17-73 is continued until further order of the court. (AEB-J)h -copies mailed-	
1-18-74	Appl. of respondent for evidentiary hearing, filed. g <i>et al</i>	
3-27-74	Order, filed, setting case for evidentiary hearing at 10:00 a.m. Thursday, April 4, 1974. (AEB-J)hm (copies mailed)	
4-4-74	Petitioner present & represented. Deft. reped. Evidentiary Hearing held./ Court Combines this hearing with hearing in 74-C-425, with agreement with counsel. Statements made. Ct. Orders that petition for writ for Habeas Corpus is hereby denied and dismissed without prejudice. Bond exonerated and Petitioner bound over to State authorities. Order to be prepared by Mr. Gassaway be 4-5-74. (AEB-J).s	
4-12-74	Notice of appeal from order dismissing h.c. on 4/4/74, filed. rm (copies to counsel and USCA)	
4-15-74	Appl. of petitioner for fixing or ext. of bail, filed. rm <i>copies to Counsel</i>	
4-25-74	Order filed, that application for bail during the pendency of these proceedings on appeal be overruled and denied. (AEB-J) ds copies mailed	
5-3-74	Order, filed and entered, dismissing petition for writ of h.c. wo/prej. to their rights of refiling same after exhausting their State remedies. (AEB-J)rm - copies mailed	
5-3-74	Request of petitioner to dismiss appeal, filed. rm	
5-3-74	Order, filed, dismissing appeal. (AEB-J)rm - copies to counsel & USCA	
5-3-74	Order, filed, directing Clerk to disburse cash bond of \$350 to petitioner. (AEB-J)rm copies mailed	

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